

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, May 12, 2015

8:30 a.m.

County Board Room – 3<sup>rd</sup> Floor – Courthouse

MINUTES

The Clay County Board of Commissioners met in regular session with all Commissioners present: Campbell, Gross, Ingersoll, Mongeau, and Weyland. County Administrator Brian C. Berg, Chief Assistant County Attorney Jenny Samarzja, and Senior Administrative Assistant Vicki Reek were also present.

APPROVAL OF AGENDA

On motion by Gross, seconded by Campbell, and unanimously carried, the agenda was approved as presented.

APPROVAL OF DIETETIC INTERNSHIP AGREEMENT WITH CONCORDIA COLLEGE

By consent agenda, the Board authorized execution of a dietetic internship agreement with Concordia College for which Public Health provides students with practicum experience.

APPROVAL TO ACCEPT DONATIONS TO VETERANS SERVICE PROGRAMS

By consent agenda, the Board accepted donations to Veterans Service programs as follows: Wilbert Sheffler, \$100; Beyond The Yellow Ribbon, \$250.

APPROVAL OF BIRTHRIGHT LEASE IN FAMILY SERVICE CENTER

By consent agenda, the Board approved renewal of the Birthright lease in the Family Service Center, 6/1/15-5/31/16, 962 sq.ft., \$12.75 sq.ft.

APPROVAL OF SERVICE CONTRACT WITH LEGACY GROUP FOR TRAINING FOR STATEWIDE HEALTH IMPROVEMENT PROGRAM PARTNERS

By consent agenda, the Board approved a contract with Legacy Group to provide professional training for Statewide Health Improvement Program Innovation partners.

APPROVAL OF CITY OF MOORHEAD ABATEMENT REQUESTS

By consent agenda, abatement requests for payable 2015 were approved as follows due to errors in entry of class change: City of Moorhead, parcel 58.848.0380, \$2.00; Leo Hochstetler, parcel 58.721.0100, approximate tax reduction of \$204.

ADOPT RESOLUTION TO CONTINUE AS HOST SITE FOR MN GREENCORPS/AMERICORPS PROGRAM – PARTNERSHIP4HEALTH

By consent agenda, the Board adopted the following resolution authorizing reapplication for Public Health/PartnerSHIP4Health to continue as a host site for Minnesota GreenCorps/AmeriCorps program:

#### RESOLUTION 2015-15

WHEREAS, Clay County Public Health has applied to host an AmeriCorps member from the Minnesota GreenCorps, a program of the Minnesota Pollution Control Agency (MPCA), for the 2015-2016 program year; and

WHEREAS, if the MPCA selects Clay County Public Health, the organization is committed to implementing the proposed project as described in the host site application, and in accordance with pre-scoped position description; and

WHEREAS, the MPCA requires that Clay County Public Health enter into a host site agreement with the MPCA that identifies the terms, conditions, roles and responsibilities;

BE IT RESOLVED, THAT Clay County Public Health hereby agrees to enter into and sign a host site agreement with the MPCA to carry out the member activities specified therein and to comply with all of the terms, conditions, and matching provisions of the host site agreement.

#### CITIZENS TO BE HEARD

There were no citizens present who wished to address the Board.

#### APPROVE PAYMENT OF BILLS AND VOUCHERS

On motion by Campbell, seconded by Gross, and unanimously carried, the bills and vouchers were approved for payment.

#### APPROVE MINUTES OF APRIL 21 & 28 COUNTY BOARD MEETINGS

On motion by Mongeau, seconded by Campbell, and unanimously carried, the minutes of the meetings held April 21 & 28 were approved as presented.

#### RENEWAL OF SENTENCING TO SERVICE CONTRACT

Ms. Janelle Cheney, District Supervisor, MN Department of Corrections, was present to request renewal of the contract for Sentencing to Service for the period July 1, 2015 to June 30, 2017. The contract, in the amount of \$120,531, represents an approximate 3% increase over the previous contract. The contract represents payment for the crew leader salary, training, equipment, and liability insurance. Among the projects the inmates have worked on include landscaping at the Courthouse and Family Service Center, roof tear off at the Annex, methane control project at the County Landfill, painting at Glyndon City Hall and Community Center, demolished and removed former Hawley Police Department building, spring clean-up in Hawley, Glyndon, Dilworth and Hitterdal, and assistance to various non-profits.

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the Board authorized execution of the Sentencing to Service contract for the period July 1, 2015 to June 30, 2017.

#### REQUEST TO FILL DEPUTY APPRAISER POSITION

On motion by Ingersoll, seconded by Mongeau, and unanimously carried, the Board approved filling the Deputy Appraiser position which will be vacant in the Assessor's Office due to the retirement of Teresa Softing. The Board wished Ms. Softing well and thanked her for her 29 years of service to Clay County.



#### APPROVAL OF FINAL DOCUMENTS FOR LANDFILL SCALE PROJECT

Solid Waste Director Kirk Rosenberger requested the Board's approval of the final documents for the Landfill Scale project. The final contract amount is \$147,536 (originally bid at \$155,050.05). The contractor was Sellin Brothers, Inc., Hawley, MN.

On motion by Gross, seconded by Mongeau, and unanimously carried, the Board approved the final documents for the Landfill Scale project as described above.

Mr. Rosenberger reported that the recent electronics collections have gone well, with over five semi-trailers filled with TVs, computers, etc.

The permit for the Full Circle organics recycling project (to be located near the Landfill) has been submitted and application will be made for a Conditional Use permit.

#### UPDATE: BEYOND THE YELLOW RIBBON

Mr. Les Bakke, Beyond The Yellow Ribbon, updated the Board regarding the activities of the organization, citing their purpose is to help the families of service people. They work closely with the Veterans Service Office and service organizations. A recent activity was to raise funds for an Honor Flight for Korean era veterans to visit Washington, DC.

#### REZONING RECOMMENDATION FROM PLANNING COMMISSION CONCERNING BRB, LLC REQUEST TO REMOVE THE URBAN EXPANSION DISTRICT OVERLAY FROM A PARCEL

Planning & Environmental Programs Director Tim Magnusson informed the Board that BRB, LLC, appeared before the Planning Commission on April 21, 2015 to request the removal of the Urban Expansion District overlay zone from a 7.66 acre parcel in the NW 1/4 SE 1/4 Section 29, Moorhead Township. The developer plans to build 101 units of single story self-storage on the parcel. The Planning Commission recommended denying the request for the following reason: the proposed zoning change is contrary to the Clay County Comprehensive Plan and the City of Moorhead's Comprehensive Plan, 2009 Future Land Use Map and Growth Area Plan. Mr. Magnusson presented site maps, identifying the location of parcel and neighboring properties (ag land to the east and south, residential to the west across Highway 75, City of Moorhead parcel to the north, and commercial farther to the south). Currently the property has no city services (sewer, water).

A resolution from the Moorhead City Council was acknowledged, wherein they oppose the request to remove the Urban Expansion District overlay zone. The area will be annexed by the City of Moorhead at some point, and will be zoned to their needs.

City Planner Kristie Leshovsky was present and noted that the timeline for annexation is unknown at this time. She further described the goals of the Urban Expansion District.

The developers were present and indicated they were unaware of the Urban Expansion Overlay when the property was acquired. They informed the Board that the proposed facility would be gated, aesthetically pleasing, and would be an asset to the community. The developers indicated that municipal sewer/water would not be necessary for their proposed use. All storage would be inside, no campers, boats, etc., would be allowed to be stored outside. With the overhead power lines, and lack of accesses off Highway 75, they did not believe residential development would take place to the south.

Commissioner Ingersoll commented that annexing does not happen overnight, it



took 40 years to annex Oakport. The developers have indicated they don't need sewer/water. He did not see a big concern with removing the overlay.

Commissioner Campbell noted there are several storage unit complexes in residential areas, and feel they can be beneficial for folks to store their possessions inside rather than outside.

Commissioner Gross noted that at the Planning Commission meeting where this topic was addressed, there were two 'nay' votes to the motion, and hesitation on the part of some other Planning Commissioners as to whether or not the proposed use would be an inappropriate use. He felt that with the high density housing to the north, it would be a good fit for the area.

Moorhead City Councilman Mike Hulett was present to request that the County Board maintain the overlay so that the option would remain open for residential use of the property in the future. He indicated that he had received many calls of concern on this issue from the residents in the development to the west. He felt the City has only a year and a half of buildable lots left, and felt the area in question will be developed sooner rather than later.

Commissioner Campbell commented that the developers purchased commercial property with the intent of using it in a commercial manner, and have acknowledged that they did not realize the overlay existed.

Mr. Magnusson confirmed that the City of Moorhead has no jurisdiction over this matter.

Commissioner Weyland indicated his understanding of both sides of this issue, but felt the County Board should abide by the Planning Commission's recommendation.

Commissioner Mongeau acknowledged that she voted against the motion at the Planning Commission meeting, however, felt it is difficult to vote against a project when investors are willing to invest in Clay County.

On motion by Gross and seconded by Ingersoll, the Board removed the Urban Expansion Overlay District on the parcel described above. Commissioner Weyland voted against the motion.

#### APPROVAL OF PROPOSED CHANGE IN LICENSE NUMBERS/PERSONS SERVED BY TOMORROW LLC D/B/A ANCHORAGE

Ms. Carmen Wilson, Owner, Tomorrow LLC d/b/a Anchorage, and Mr. Keith Gilleshammer, Program Director, were present to request Clay County's approval of an increase in the license numbers/persons served for their chemical dependency residential treatment bed facility from 10 to 16. The agency has purchased a larger facility at 725 Center Avenue, Moorhead, allowing for the increase in beds and services. Ms. Wilson informed the Board that they have a waiting list of approximately eight clients at all times.

Social Services Supervisor Pat Boyer and Chief Assistant County Attorney Jenny Samarzja were present to attest to the need for increased chemical dependency services in the community.

On motion by Ingersoll, seconded by Mongeau, and unanimously carried, the Board approved an increase in bed numbers from 10 to 16 at Anchorage, 725 Center Avenue, Moorhead, MN.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Ingersoll attended meetings of the Moorhead Planning Commission, Local Advisory Council for Children's Mental Health, and Local Advisory Council for Adult Mental Health.

Commissioner Gross attended meetings of the Heartland Trail and Hagen Township.

Commissioner Mongeau attended meetings of the Joint Powers Committee, Senior Luncheon in Rollag, Tansem Township, and Buffalo Red River Watershed.

Commissioner Campbell attended the Joint Powers Committee meeting.

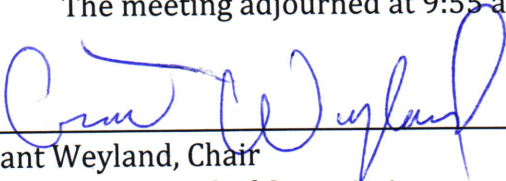
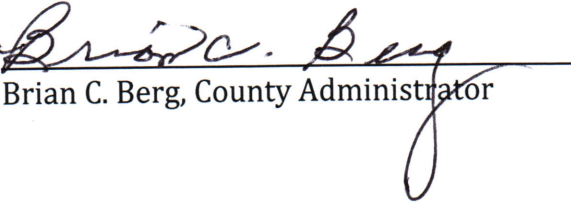
Commissioner Campbell clarified that contrary to a recent newspaper article, the County intends to build the new Jail on the existing County campus. He added that property owners just north of the Courthouse have contacted the County to express their interest in selling their homes to the County. These properties could be used for additional parking, the Law Enforcement Center, etc.

Commissioner Weyland attended the Minnesota Rural Counties Caucus meeting and the AMC Annual Conference Planning session.

County Administrator Brian C. Berg informed the Board that he has begun work on the Bonding Bill application (Jail and Solid Waste Transfer Station). He met with City of Dilworth personnel regarding the Red River Regional Dispatch Center funding. Other meetings include Joint Powers Committee, Management, Senior Luncheon in Rollag, and property acquisition.

ADJOURN

The meeting adjourned at 9:55 a.m.

  
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Grant Weyland, Chair  
Clay County Board of Commissioners  
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Brian C. Berg, County Administrator